

Docket No.
WP21723US

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
ANALYSIS SYSTEM FOR REAGENT-FREE DETERMINATION OF THE CONCENTRATION OF AN ANALYTE IN LIVING TISSUE

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International Application Number _____ and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

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|-----------------|-----------|------------------------|--------------------------|
| DE 103 11 452.1 | Germany | 15 March 2003 | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| _____ | _____ | _____ | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| _____ | _____ | _____ | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

| | |
|--------------------------|---------------|
| _____ | _____ |
| (Application Serial No.) | (Filing Date) |
| _____ | _____ |
| (Application Serial No.) | (Filing Date) |
| _____ | _____ |
| (Application Serial No.) | (Filing Date) |

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| | | |
|--------------------------|---------------|--------------------------------|
| _____ | _____ | _____ |
| (Application Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |
| _____ | _____ | _____ |
| (Application Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |
| _____ | _____ | _____ |
| (Application Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Customer No. 23690

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| Full name of sole or first inventor ROHLER, Daniel | |
| Sole or first inventor's signature | Date |
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| Second inventor's signature | Date |
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| Full name of fourth inventor, if any | |
| Fourth inventor's signature | Date |
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| Citizenship | |
| Post Office Address | |
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| Full name of fifth inventor, if any | |
| Fifth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
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| Full name of sixth inventor, if any | |
| Sixth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, DC 20231

**GENERAL APPOINTMENT OF REPRESENTATIVE FOR
U.S. PATENT AND TRADEMARK OFFICE MATTERS**

The undersigned applicant or assignee hereby appoints D. Michael Young, Reg. No. 33,819, Brent A. Harris, Reg. No. 39,215, Richard T. Knauer, Reg. No. 35,575, Kenneth J. Waite, Reg. No. 45,189, Marilyn L. Amick, Reg. No. 30,444, and Sujatha Subramaniam, Reg. No. 48,739, all of Roche Diagnostics Corporation, 9115 Hague Road, P.O. Box 50457, Indianapolis, Indiana 46250, Telephone No. (317) 845-2000, and Jill Lynn Woodburn, Reg. No. 39,874 of The Law Office of Jill L. Woodburn, L.L.C., 128 Shore Drive, Ogden Dunes, Indiana 46368-1015, Telephone No. (219) 764-4070:

to prosecute and transact all business on its behalf before the United States Patent and Trademark Office in connection with any U.S. patent assigned to it and any U.S. patent application filed by it or on its behalf and to receive payments on its behalf.

Signed this 24. day of October, 2003 at Mannheim, Germany.

Roche Diagnostics GmbH

ppa.


Signature

Dr. Michael Jung

Print Name

Vice President

Position or Title

Roche Diagnostics GmbH

i.v.


Signature

Dr. Ralf Schwarz

Print Name

Director

Position or Title